

*Chuck Grassley**Pending*

AMENDMENT NO. _____

Calendar No. _____

Purpose: To make sure the President, Cabinet Members, all White House Senior staff and Congressional Committee and Leadership Staff are purchasing health insurance through the health insurance exchanges established by the Patient Protection and Affordable Care Act.

IN THE SENATE OF THE UNITED STATES—111th Cong., 2d Sess.

H. R. 4872

AMENDMENT NO. 3564

To

By

Grassley

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2010

Roberts

To:

H.R. 4872

Ref

Page(s)

5

and

GPO: 2008-45-603 (mac)

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by Mr. GRASSLEY

Viz:

1 At the end of subtitle A of title I, insert the following:

1 SEC. 1006. PARTICIPATION OF PRESIDENT, VICE PRESI-
2 DENT, MEMBERS OF CONGRESS, POLITICAL
3 APPOINTEES, AND CONGRESSIONAL STAFF IN
4 THE EXCHANGE.

5 (a) IN GENERAL.—Section 1312(d)(3)(D) of the Pa-
6 tient Protection and Affordable Care Act is amended to
7 read as follows:

8 “(D) PRESIDENT, VICE PRESIDENT, MEM-
9 BERS OF CONGRESS, POLITICAL APPOINTEES,
10 AND CONGRESSIONAL STAFF IN THE EX-
11 CHANGE.—

12 “(i) IN GENERAL.—Notwithstanding
13 chapter 89 of title 5, United States Code,
14 or any provision of this title—

15 “(I) the President, Vice Presi-
16 dent, each Member of Congress, each
17 political appointee, and each Congres-
18 sional employee shall be treated as a
19 qualified individual entitled to the
20 right under this paragraph to enroll in
21 a qualified health plan in the indi-
22 vidual market offered through an Ex-
23 change in the State in which the indi-
24 vidual resides; and

25 “(II) any employer contribution
26 under such chapter on behalf of the

1 President, Vice President, any Mem-
2 ber of Congress, any political ap-
3 pointee, and any Congressional em-
4 ployee may be paid only to the issuer
5 of a qualified health plan in which the
6 individual enrolled in through such
7 Exchange and not to the issuer of a
8 plan offered through the Federal em-
9 ployees health benefit program under
10 such chapter.

11 “(ii) PAYMENTS BY FEDERAL GOV-
12 ERNMENT.—The Secretary, in consultation
13 with the Director of the Office of Per-
14 sonnel Management, shall establish proce-
15 dures under which—

16 “(I) the employer contributions
17 under such chapter on behalf of the
18 President, Vice President, and each
19 political appointee are determined and
20 actuarially adjusted for age; and

21 “(II) the employer contributions
22 may be made directly to an Exchange
23 for payment to an issuer.

“(iii) **POLITICAL APPOINTEE.**—In this subparagraph, the term ‘political appointee’ means any individual who—

“(I) is employed in a position described under sections 5312 through 5316 of title 5, United States Code, (relating to the Executive Schedule);

“(II) is a limited term appointee, limited emergency appointee, or non-career appointee in the Senior Executive Service, as defined under paragraphs (5), (6), and (7), respectively, of section 3132(a) of title 5, United States Code; or

“(III) is employed in a position in the executive branch of the Government of a confidential or policy-determining character under schedule C of subpart C of part 213 of title 5 of the Code of Federal Regulations.

“(iv) CONGRESSIONAL EMPLOYEE.—
In this subparagraph, the term ‘Congressional employee’ means an employee whose pay is disbursed by the Secretary of the

1 Senate or the Clerk of the House of Rep-
2 resentatives.”.

3 (b) EFFECTIVE DATE.—The amendment made by
4 this section shall take effect as if included in the Patient
5 Protection and Affordable Care Act.